

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 26-29 have been added.

Claims 1, 6-18, 20, 21, and 23-25 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-29 are now pending in this application.

**Claim Objections**

Claims 1-22 are objected to for containing informalities. Claims 1 and 20 have been amended to claim “exactly one condenser lens system and only one condenser lens system.” Although claims 1 and 20 employ “comprising” as a transitional phrase, the limitations of claims 1 and 20 expressly exclude more than one condenser lens system. Withdrawal of the objections is respectfully requested.

Claims 18 and 21 have been amended to claim “exactly one lens and only one lens.” Although claims 18 and 21 employ “comprising” as a transitional phrase, the limitations of claims 18 and 21 expressly exclude more than one lens. Withdrawal of the objections is respectfully requested.

**Rejections under 35 U.S.C. § 102(b)**

Claims 1, 5, 6, 10, 11, and 18-25 are rejected under 35 U.S.C. § 102(b) as being anticipated by Taira (U.S. Patent 4,253,726).

Claims 1, 20, 23, and 24 require a “condenser lens system configured to be switchable into and out of the illuminating light beam, wherein when the condenser lens system is switched out of the illuminating light beam no condenser lens system is present in the illuminating light beam.” Taira teaches condenser lens systems that include condenser lenses 15 and 16, as shown in Figures 2A, 2B, 3A, 3B, 4A, 4B, and 6, or condenser lenses 15 and 20, as shown in Figures 5A and 5B. The condenser lens systems taught by Taira are not switchable into and out of the illuminating light beam so that when the condenser lens system is switched out of the illuminating light beam no condenser lens system is present in the illuminating light beam. For example, Figures 2A, 2B, 3A, 3B, 4A, 4B, and 6 show that condenser lenses 15 and 16 are switched between positions in and out of the illuminating light beam so that there is always at least one condenser lens in the illuminating light beam. Taira teaches that condenser lens 15 is used for high magnifications while condenser lens 16 is used for low magnifications. (See U.S. Patent 4,253,726; column 2, lines 63-68; column 3, lines 1-5). Therefore, Taira does not teach all of the limitations of claims 1, 20, 23, and 24. Withdrawal of the rejection is respectfully requested.

Claims 1, 5, 18, 20, and 21 are rejected under 35 U.S.C. § 102(b) as being anticipated by Takahashi (U.S. Patent 3,679,287).

Claims 1 and 20 require a “condenser lens system configured to be switchable into and out of the illuminating light beam, wherein when the condenser lens system is switched out of the illuminating light beam no condenser lens system is present in the illuminating light beam.” Takahashi et al. teaches a microscope with a condenser lens system that includes a condenser lens group of lenses 6, 6a, 6b, and 6c, and objective lenses 1, 1a, 1b, and 1c. (See U.S. Patent 3,679,287; Figure 1; column 2, lines 25-28, 38-40). Takahashi et al. teaches that pairs of condensers and objectives are successively changed to be located upon the optical axis of the microscope. (See U.S. Patent 3,679,287; column 3, lines 27-30). Takahashi et al. does not teach that the condenser lens system is switched out of the illuminating light beam so that no condenser lens system is present in the illuminating light beam. Therefore, Takahashi et al. does not teach all of the limitations of claims 1 and 20. Withdrawal of the rejection is respectfully requested.

**Rejections under 35 U.S.C. § 103(a)**

Claims 2, 7, 12, and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Taira (U.S. Patent 4,253,726) in view of Stankewitz et al. (U.S. Patent 5,684,625). As noted above, Taira does not teach all of the limitations of claims 1, 20, 23, and 24. Stankewitz et al. fails to remedy the deficiencies of Taira. Withdrawal of the rejection is respectfully requested.

Claims 3, 8, 14, and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Taira (U.S. Patent 4,253,726) in view of Tigliev et al. (U.S. Patent 5,896,223). As noted above, Taira does not teach all of the limitations of claims 1, 20, 23, and 24. Tigliev et al. fails to remedy the deficiencies of Taira. Withdrawal of the rejection is respectfully requested.

Claims 4, 9, 16, and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Taira (U.S. Patent 4,253,726) in view of Stankewitz et al. (U.S. Patent 5,684,625) and further in view of Tigliev et al. (U.S. Patent 5,896,223). As noted above, Taira does not teach all of the limitations of claims 1, 20, 23, and 24. Stankewitz et al. and Tigliev et al. fail to remedy the deficiencies of Taira. Withdrawal of the rejection is respectfully requested.

Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi et al. (U.S. Patent 3,679,287) in view of Stankewitz et al. (U.S. Patent 5,684,625). As noted above, Takahashi et al. does not teach all of the limitations of claims 1 and 20. Stankewitz et al. fails to remedy the deficiencies of Takahashi et al. Withdrawal of the rejection is respectfully requested.

Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi et al. (U.S. Patent 3,679,287) in view of Tigliev et al. (U.S. Patent 5,896,223). As noted above, Takahashi et al. does not teach all of the limitations of claims 1 and 20. Tigliev et al. fails to remedy the deficiencies of Takahashi et al. Withdrawal of the rejection is respectfully requested.

Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi et al. (U.S. Patent 3,679,287) in view of Stankewitz et al. (U.S. Patent 5,684,625) and further in view of Tigliev et al. (U.S. Patent 5,896,223). As noted above, Takahashi et al. does not teach all of the limitations of claims 1 and 20. Stankewitz et al. and Tigliev et al. fail to remedy the deficiencies of Takahashi et al. Withdrawal of the rejection is respectfully requested.

Claims 14 and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi et al. (U.S. Patent 3,679,287). As noted above, Takahashi et al. does not teach all of the limitations of claims 1 and 20. Withdrawal of the rejection is respectfully requested.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

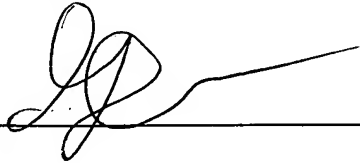
The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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